
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

**JOHNSEN AND ALLPHIN
PROPERTIES, LLC, a Utah limited
liability company,**

Plaintiff,

v.

**FIRST AMERICAN TITLE INSURANCE
COMPANY, a California corporation,**

Defendant.

**MEMORANDUM DECISION
AND ORDER**

Case No. 2:12-cv-740-RJS-PMW

District Judge Robert J. Shelby

Magistrate Judge Paul M. Warner

District Judge Robert J. Shelby referred this case to Magistrate Judge Paul M. Warner pursuant to 28 U.S.C. § 636(b)(1)(A).¹

Plaintiff Johnson and Allphin Properties, LLC (“Plaintiff”) previously filed a motion to compel production of non-privileged documents by Defendant First American Title Insurance Company (“Defendant”), or in the alternative, have the court conduct an *in camera* review of the documents.² In response, this court ordered the parties to scrutinize carefully both claims of privilege and the demands for production, and to confer in an attempt to resolve the issues

¹ Docket no. 19.

² Docket no. 57.

without further court involvement.³ The parties submitted a report to the court on their efforts on June 25, 2015.⁴

The parties appear to have taken the court's order very seriously, and narrowed the hundreds of pages of disputed documents to just sixteen documents. The court performed an *in camera* review of the remaining documents in question and finds that Defendant's assertions of attorney-client privilege and/or attorney work product appear warranted and proper. The court commends the parties for their efforts in resolving this dispute. In light of the parties' significant efforts, the court finds that sanctions are not justified against either party.

For the foregoing reasons, Plaintiff's motion is **DENIED**.

IT IS SO ORDERED.

DATED this 10th day of August, 2015.

BY THE COURT:



PAUL M. WARNER
United States Magistrate Judge

³ Docket no. 86.

⁴ Docket no. 89.